

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

SUNPATH LTD; NATIONAL CAR CURE
LLC; NORTHCOAST WARRANTY
SERVICES, INC.; JOHN DOES #1-4,

Defendants.

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EP-20-CV-00106-FM

ORDER OF DISMISSAL

Before the court is “Plaintiff’s Notice Dismissal” [ECF No. 44], filed October 19, 2020 by Brandon Callier (“Plaintiff”). Therein, Plaintiff notifies the court that he wishes to voluntarily dismiss all claims against Defendants Sunpath, Ltd, and Northcoast Warranty Services, Inc. without prejudice.¹ Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), “the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” The record reflects neither Sunpath, Ltd, nor Northcoast Warranty Services, Inc. have filed an answer in this case.

Accordingly, it is **HEREBY ORDERED** that all claims against Defendants Sunpath, Ltd, and Northcoast Warranty Services, Inc. are **DISMISSED WITHOUT PREJUDICE**.

SIGNED AND ENTERED this 28th day of **October, 2020**.



FRANK MONTALVO
UNITED STATES DISTRICT JUDGE

¹ “Plaintiff’s Notice Dismissal” 1, ECF No. 44, filed Oct. 19, 2020.